

FILED

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

JUL 13 2011

JONATHON B. BRISTOW,

)

Plaintiff,

)

vs.

)

POTTAWATOMIE COUNTY PUBLIC
SAFETY CENTER et seq.,

)

Defendants.

)

No. CIV-11-399-W

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA
BY Tele DEPUTY

ORDER

On June 2, 2011, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and made certain recommendations regarding the claims asserted by plaintiff Jonathon B. Bristow in his complaint that seek relief under title 42, section 1983 of the United States Code. Bristow was advised of his right to object to the Report and Recommendation, but no objections have been filed within the allotted time.

In the absence of any objection, the Court accepts Magistrate Judge Purcell's suggested disposition of Bristow's claims and accordingly,

- (1) ADOPTS the Report and Recommendation [Doc. 10] filed on June 2, 2011;
- (2) pursuant to title 28, sections 1915A(b)(1) and 1915(e)(2)(B) of the United States Code, DISMISSES without prejudice to renewal in a federal habeas action Bristow's claim, if any, that seeks the dismissal of any criminal charges filed against him;¹

¹It is unclear to the Court whether Bristow by his statement "I think my charges should be dropped entirely and I be compensated accordingly," Doc. 1 at 5; e.g., *id.* at 7 ("All charges dropped immediately, and compensated up to \$5,000 a day for every day incarcerated since this occurred 2-25-11"), is seeking dismissal of all criminal charges filed against him or dismissal of any record evidencing the disciplinary infraction occurring on February 25, 2011, and the resulting

(3) pursuant to sections 1915(b)(a) and 1915(e)(2)(B), likewise DISMISSES for failure to state a claim for relief under section 1983 all remaining claims asserted by Bristow in his complaint; and

(4) DENIES Bristow's Motion for Transport to D.O.C. and Combining of Initial Filing Fees [Doc. 8] filed on May 31, 2011.

ENTERED this 13th day of July, 2011.



LEE R. WEST
UNITED STATES DISTRICT JUDGE

"lockdown."